

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA	§	
	§	
	§	
VS.	§	CRIMINAL NO. H-08-129
	§	
	§	
JOSE LEONEL PORTILLO-MEZA	§	

ORDER

The defendant, Jose Leonel Portillo-Meza, requested credit for time served in the Southern District of Texas, Houston Division, (Docket Entry No. 26), to reduce his federal sentence imposed in the Northern District of Texas.

Portillo-Meza was charged with a 2007 illegal reentry after removal from the United States in the Southern District in Criminal Action No. 4:08CR00129-001, on March 10, 2008. The indictment was dismissed on July 10, 2008 for improper venue.

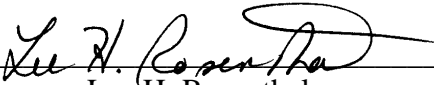
On July 10, 2012, a grand jury in the Northern District of Texas, Dallas Division, charged Portillo-Meza with a 2008 illegal reentry after removal from the United States in Criminal Action 3:12CR00205-001. On December 3, 2013, Portillo-Meza was sentenced to a 37-month prison term. At sentencing, Portillo-Meza asked the sentencing court to grant him 160 days of credit for the time he was in custody for the Southern District of Texas case. The sentencing court denied the request.

On July 15, 2014, Portillo-Meza filed a motion in the Northern District of Texas asking the Attorney General to grant him credit for the 160 days of time he served in the Southern District. On June 20, 2014, the Northern District of Texas issued an order stating that a motion challenging the

calculation of BOP credit must be filed in the jurisdiction where the defendant is confined. The motion was denied for lack of jurisdiction.

Portillo-Meza is currently confined in the Bureau of Prisons in Alabama. He should seek relief for any official detention credit in that district. The motion filed here, Docket Entry No. 26, is denied without prejudice to refile in Alabama.

SIGNED on August 25, 2014, at Houston, Texas.



Lee H. Rosenthal
United States District Judge